MR. DEPUTY CHAIRMAN: I shall now put the Motion to vote.

The question is:

"That an Address be presented to the President in the following terms:-

'That the Members of the Rajya Sabha assembled in this Session are deeply grateful to the President for the Address which she has been pleased to deliver to both Houses of Parliament assembled together on February 12, 2009.'"

The motion was adopted.

STATEMENT BY MINISTER

Situation in Sri Lanka

THE MINISTER OF EXTERNAL AFFAIRS AND THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): Sir, I rise to apprise this august House about the present situation in Sri Lanka.

Since I last addressed the House on this issue in October 2008, developments have unfolded rapidly in northern Sri Lanka. Sri Lankan Government forces have made significant advances into LTTE-held territory, restricting LTTE cadres to a small area of approximately 150 sq. km. adjacent to the coast. Sri Lankan forces have captured Kilinochchi, Elephant Pass and Mullaitivu town and have regained control of the A-9 highway.

A serious source of concern to us has been the condition of civilians and internally displaced persons, mostly Tamil, caught up in the zone of conflict. Estimates on the number of civilians trapped vary, but 70,000 or so are estimated to be there now. The LTTE were reportedly using them as human shields.

Hon. Members may rest assured that our strong concerns for the safety, security and welfare of civilians caught in the conflict have led us to stay actively engaged to prevent a further deterioration of humanitarian conditions. We have sent relief supplies to the civilians and the IDPs, facilitated access by international and UN organisations, and suggested ways for civilians and IDPs to escape from the conflict zone. Two batches of relief assistance have been sent so far including 80,000 family packs of food and non-food articles, collected and donated by the Government of Tamil Nadu and medicines. Another batch of relief material is being sent.

I personally visited Colombo on 27th January. In my discussions with Sri Lankan President, Mehinda Rajapaksa, I stressed the need to give an opportunity to civilians and IDPs caught up in the conflict to emerge from LTTE held areas and suggested a pause in hostilities to provide the necessary environment. On 29th January, 2009, the Sri Lankan President announced a 48-hour period for civilian safe passage to secure areas. He also appealed to the LTTE to allow civilians to leave and assured the safety and security of the civilians who did so.

In the last two weeks, nearly 35,000 civilians have come out of LTTE-held areas. Sadly, some of those escaping from the conflict have been caught in crossfire and, in recent incidents, have been stopped and even killed by LTTE cadres. As the conflict enters what may be the final phase of military operations, the LTTE would best serve the interest of the Tamils by immediately releasing all civilians and laying down the arms.

The Government of India is ready to facilitate the evacuation of civilians trapped in the area of conflict, working with the Government of Sri Lanka and the ICRC who would take responsibility for the security, screening and rehabilitation of these internally displaced persons.

Mr. Deputy Chairman, Sir, India continues to support a negotiated political settlement in Sri Lanka within the framework of an undivided Sri Lanka acceptable to all the communities, including the Tamil community. The LTTE remains a proscribed organisation in India and has done much damage to the Tamil community.

In this context, the earlier normal democratic political processes begin in Sri Lanka the better. In our view, after 23 years of conflict, there is today a political opportunity to restore life to normalcy in the Northern Province and throughout Sri Lanka. The President of Sri Lanka assured me that this is also his intent. The full implementation of the 13th Amendment to the Sri Lankan Constitution would be a significant first step. Hon. Members would recall that the 13th Amendment was introduced to give effect to the India-Sri Lanka accord in 1987. Going beyond the 13th Amendment on the question of devolution of powers would be significant.

India is ready to work with the Government of Sri Lanka in their important tasks of rehabilitation and reconstruction which lie ahead in Sri Lanka, particularly in the north and east. We have begun steps to implement developmental projects in the Eastern Province such as a 500-MW thermal power project, assistance to a rail bus project and the setting up of IT centres.

I wish to assure the hon. Members that the Government will continue to stay engaged in the process of bringing enduring peace to Sri Lanka, working with the Government of Sri Lanka and the various communities in Sri Lanka in pursuit of our common security and prosperity.

DR. V. MAITREYAN (Tamil Nadu): Sir, we want to seek certain clarifications. Sir, the President's Address, which we have just now unanimously passed, mentions, "I would appeal to the Government of Sri Lanka and to the LTTE to return to the negotiating table. This can be achieved if, simultaneously, the Government of Sri Lanka suspends its military operations and the LTTE declares its willingness....". Has the Government made this appeal to the Government of Sri Lanka to suspend its operations?

SHRI PRANAB MUKHERJEE: We have conveyed exactly the phrase used by the hon. President. It is the Government's statement. Therefore, this is the Government's policy. We have communicated this to the Sri Lankan authorities.

DR. V. MAITREYAN: That means, the Sri Lankan Government has not heeded to your appeal.

SHRI D. RAJA (Tamil Nadu): Sir, the second-last para of hon. Minister's statement mentions, "India is ready to work with the Government of Sri Lanka in their important tasks of rehabilitation and reconstruction which lie ahead in Sri Lanka, particularly in the north and east." This, somehow, implies that India is waiting for the war to be over. On the top of second page, it says, "LTTE would best serve the interest of the Tamils by immediately releasing all civilians and laying down arms." Sir, I have all respect for Pranab *da*. He is one of the senior-most outstanding leaders of our country today. He has tried to explain the problem very well but, as my previous speaker asked, whether our Government, at diplomatic level, has asked the Rajapakse Government to stop the war forthwith. After all, it is the responsibility of the Government which has been waging the war and it is for the Government to stop the war and come out with a political package. This is first. Secondly, my question is, whether our Government is extending military assistance to Sri Lankan Government because there are reports suggesting that our Government is supplying radars and military expertise and giving all sorts of military help. Now, our Government should come clean as to whether our Government is doing that, whether you are giving arms to Sri Lanka.

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, a report says that there are only two options left before the Tamil civilians in Sri Lanka, either to be killed by the Sri Lankan Army or to die out of starvation. The report says that they are deprived of food, medicines, and, since they do not have hospitals to be treated, people are lying under the trees. I would like to know as to what steps our Government would take to help the civilians as early as possible.

Sir, apart from the question asked by my colleague, Mr. Raja, our Government should not extend even logistics support at this juncture as it is not only suspected but has been established that the Sri Lankan Government is aiming to wipe out the total Tamil community. I need reply from you as to whether our Government has got an idea to move the Security Council to keep the international peace keeping forces in Sri Lanka or to move the freedom loving countries to establish peace and restore human rights in Sri Lanka.

SHRI T.K. RANGARAJAN (Tamil Nadu): Mr. Deputy Chairman, at page 2 of the statement, the hon. Minister of External Affairs says, "As the conflict enters what may be the final phase of military operations...", this goes against the spirit of President's speech. Hon. President has said that we need peace, we need that both parties should stop war. This goes against the line of President's speech. Secondly, will you go to the United Nations? We request that the Government of India should go to the United Nations, use its good offices to bring peace there. As things stand today, Sri Lankan Government is unilaterally trying to wipe out everybody. This will not help in bringing peace there.

MR. DEPUTY CHAIRMAN: Dr. Malaisamy. Only clarification. No preface.

DR K. MALAISAMY (Tamil Nadu): Sir, my enthusiasm is curtailed by an observation like this. Normally, I would be taking minutes only. Despite the efforts taken or whatever is narrated in this statement, the fact remains that lakhs and lakhs of our brethren are being killed by the Sri Lankan Army. This is a fact of life. In such a situation, I want to ask a clarification from the hon. Minister. Sir, all the steps and measures that you are proposing to take or have already taken are totally inadequate, totally ineffective, and, as a result of that, the problem remains as it is. What are you going to do? Can you afford to make some coercion, compulsion so that the Sri Lankan Government can be made to agree with us? This is the point which I wanted to make.

SHRI PRANAB MUKHERJEE: Mr. Deputy Chairman, Sir, first of all, I would like to share the anguish of the Members. As I said earlier, there are no two opinions in this House that the civilian Tamils have been subjected to untold sufferings for no fault of theirs.

In Sri Lanka, they have every right to live as free citizen, enjoying their full rights, and we are working not merely today, but for the last three decades to achieve this objective. On more than one occasion, we have stated very clearly in our interaction at the highest level with the Sri Lankan authorities, the President, that military solution is no solution. You shall have to find a political solution, and to achieve that political solution you shall have to sit on the negotiating table along with others. This advice we are giving him, these suggestions we are giving him quite often.

With regard to the coercive measures, as the hon. Member, Mr. Malaisamy, has told me, the Government has no coercive measures to apply on a sovereign Government in their land. That is why what we can do surely, as I mentioned earlier, I am in touch with the international community. Not only we are talking to the Sri Lankan authorities, I am asking the international community through my conversation with Foreign Ministers of different countries. I am telling them that we ought to put pressure. It is not merely the question of fighting against a terror organisation. Basically, it is a humanitarian issue and these humanitarian problems are to be resolved. Fight against terrorists is one side of the story. But for that, we cannot subject our citizens or other people to inhuman situation. Human rights cannot be denied. Therefore, these aspects we are asking them to impress upon the Sri Lankan authorities.

So far as the United Nations Security Organisation and United Nations are concerned, they are fully apprised of it. Their human rights organisations, their human rights commissions, they are fully aware of it and, in my statement, I have stated that we are enabling the facilities for them also to be present there in the distribution of the relief material. But, whatever relief material we can give to them in this situation, it is not adequate. Therefore, the alternative is, if this ceasefire could be made effective, it is fine, but if it cannot be made effective, the second best alternative, to my mind, is to bring the civilians as fast as possible to the safe zone and rehabilitate them; and we are working with the international community towards that aspect.

So far as the supply of military hardware is concerned, we made it quite clear that we had not given any military hardware to the Sri Lankan authorities and the Sri Lankan military sources. They are buying it from other sources. But the assistance and aid, which we are giving to them, that is also tied with some development projects, not for buying any weapons or military hardware. Thank you, Sir.

MR. DEPUTY CHAIRMAN: We will now take up the Carriage by Air (Amendment) Bill, 2008. ...*(Interruptions)*...

SHRI D. RAJA: What about the supply of radars, Sir? ...*(Interruptions)*...

SHRI PRANAB MUKHERJEE: Radars we had given them long ago. It is not merely for the military purpose. It is also for civilian purpose. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: What about my clarification, Sir? ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no ...*(Interruptions)*. That is over now. *(Interruptions)* No further clarifications, please. ...*(Interruptions)*... Shri Praful Patel. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: I have asked some clarifications, Sir. ...*(Interruptions)*... You are not permitting me. ...*(Interruptions)*... It is a very sensitive issue, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: Mr. Siva, the entire House agrees that it is a sensitive issue. The hon. Minister has clarified all the issues. ...*(Interruptions)*... It can't go on.

SHRI TIRUCHI SIVA: Sir, my clarification has not been replied.

MR. DEPUTY CHAIRMAN: He has replied. ...*(Interruptions)*...

SHRI TIRUCHI SIVA: Sir, I am asking whether the matter will be taken up to the U.N., as the hon. Minister said that he had interacted with other countries. Kindly clarify this, Sir. ...*(Interruptions)*...

MR. DEPUTY CHAIRMAN: No, no. ...*(Interruptions)*... Please. ...*(Interruptions)*... Mr. Praful Patel to move the Bill.

GOVERNMENT BILL

The Carriage by Air (Amendment) Bill, 2008

THE MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION (SHRI PRAFUL PATEL): Sir, I beg to move:

That the Bill further to amend the Carriage by Air Act, 1972, as passed by Lok Sabha, be taken into consideration.